

JCS75 U.S. PTO  
01/15/98

LIMBACH & LIMBACH L.L.P.  
2001 Ferry Building, San Francisco, CA 94111  
415/433-4150

Address to:

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney's Docket No. CTCH-1630  
[CIT-2123-4B1]

First Named Inventor ROBERT H. GRUBBS

UTILITY PATENT APPLICATION TRANSMITTAL  
( under 37 CFR 1.53(b) )

SIR:

Transmitted herewith for filing is the patent application entitled:

**HIGH METATHESIS ACTIVITY RUTHENIUM AND OSMIUM METAL CARBENE COMPLEXES**

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date January 15, 1998, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EM503276238US addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

HOWARD WONG

(Name of person mailing paper)

(Signature)

Enclosed are:

1. ☒ Transmittal Form (two copies required)
2. The papers required for filing date under CFR § 1.53(b):
  - i. 91 Pages of specification (including claims and abstract);
  - ii. 2 Sheets of drawings.  
    — formal                      2 informal

3. Declaration or oath

- a. — Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Item 12 completed)

☒ Incorporation By Reference (to be used if item 3b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- i. — DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

4. — Microfiche Computer Program (Appendix, see 37 CFR 1.96)

5. — Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - i. — Computer Readable Copy
  - ii. — Paper Copy (identical to computer copy)
  - iii. — Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

6. — An assignment of the invention to \_\_\_\_\_ is attached (including Form PTO-1595).

☒ The prior application is assigned of record to CALIFORNIA INSTITUTE OF TECHNOLOGY;  
Assignment recorded in PTO on October 10, 1996, Reel 8183, Frame(s) 0314.

— The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on \_\_\_\_\_.

- i. — 37 CFR 3.73(b) Statement (when there is an assignee)

7. ☐ The power of attorney in the prior Application is to LIMBACH & LIMBACH L.L.P., 2001 Ferry Building, San Francisco, California, 94111, including W. Patrick Bengtsson, Reg. No. 32,456.
- i. ☐ The power appears in the original papers in the prior Application.
- ii. ☐ Since the power does not appear in the original papers, a copy of the power in the prior Application is enclosed.
- iii. ☐ A new power has been executed and is attached.
8. ☐ An Information Disclosure Statement (IDS) is enclosed, including a PTO-1449 and copies of ☐ references.
9. ☒ Preliminary Amendment.
10. ☒ Return Receipt Postcard (MPEP 503 -- should be specifically itemized)
11. ☐ Other

12. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information

- ☐ Continuation
- ☒ Divisional
- ☐ Continuation-In-Part (CIP)

of immediately prior application No: 08/693,789, filed July 31, 1996.

- i. RELATE BACK - 35 USC 120: If one of the above boxes is checked, please amend the specification by inserting before the first line the sentence: This is a [ ] continuation [X] divisional of Application No. 08/693,789, filed July 31, 1996, now U.S. Pat. No. 5,831,108, which

[Note to form user: lines for item 12 are intentionally spaced to permit Examiner amendments.]

ii. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).

[X] A petition, fee and response has been filed to extend the term in the pending prior application until January 21, 1998.

[ ] A copy of the petition for extension of time in the prior application is attached.

iii. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

(Complete this item and file conditional petition in prior application if previous item (ii) not applicable).

[ ] A conditional petition for extension of time is being filed in the pending prior application.

[ ] A copy of the conditional petition for extension of time in the prior application is attached.

13. FOREIGN PRIORITY

[ ] Priority of application no. ☐ filed on ☐ in ☐ is claimed under 35 USC 119.

The certified copy of the priority application:

- is filed herewith; or
- has been filed in prior application no. ☐ filed on ☐, or
- will be provided.

☐ English Translation Document (if applicable)

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- CLAIMS AS FILED**

\*If less than zero, enter "0".

**50% Filing Fee Reduction (if applicable) . . . . . \$571.00**

**Total Fees Enclosed . . . . . \$626.00**

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**LIMBACH & LIMBACH L.L.P.**

By: W. Patrick Bengtsson  
W. Patrick Bengtsson  
Registration No. 32,456  
Attorney(s) or Agent(s) of Record